REMARKS

Claim 1 is being amended to recite that the orthoester compound contains at least one free hydroxyl group. This amendment introduces no new matter, and is supported in the specification as filed, *inter alia*, on page 3, lines 10-14.

Claims 1-13 were rejected under 35 U.S.C. § 102 as being anticipated by Berg, U.S. patent application no. 2002/0161135 ("Berg"), specifically the Abstract, pages 1-4, and claims 1,3, or 30-32. This rejection is respectfully traversed.

Berg discloses compounds that contain at least one bicyclic orthoester or spiro orthoester group, and do not contain non-cyclic orthoester groups. In contrast to the compounds disclosed in Berg, the composition of the present claims contains at least one non-cyclic orthoester group. The orthoester compounds of the present claims are prepared by reacting an orthoester and a diol having specific characteristics as recited in Claim 1. The properties of the components recited in the claim are believed to contribute to the desirable properties of the claimed coating compositions.

The use of a diol that contains hydroxyl groups of different reactivity results in the hydroxyl groups of the diol reacting at a different rate with given reactants. Specifically, primary hydroxyl groups react more rapidly than do secondary hydroxyl groups, which in turn react more rapidly than do tertiary hydroxyl groups. It is believed that the more reactive of the hydroxyl groups reacts with the orthoester and that the less reactive hydroxyl group remains as a free hydroxyl group.

The non-cyclic structure of the orthester as recited in Claim 1 is expected to result in a different structure in the claimed compounds as compared with the compounds disclosed by Berg, which, in turn, is expected to produce different networks in the coating after curing.

Berg does not disclose, teach, or suggest composition comprising 20-80 wt-% of at least one orthoester compound having at least one non-cyclic orthoester group and at least one free hydroxyl group per molecule, which compound is obtained by reacting at least one orthoester compound

with at least one diol having a number average molecular weight (Mn) of 200-1000 g/mol, having hydroxyl groups with different reactivity, and having more than 3 carbon atoms between the hydroxyl groups. Accordingly, the present invention is not anticipated by Berg.

CONCLUSION

Applicant submits that claims 1-13 are patentable over Berg, and are in condition for allowance. Accordingly, prompt favorable action and issuance of a Notice of Allowance are respectfully requested. Should there be any remaining issues, the Examiner is respectfully requested to telephone Applicant's undersigned representative.

The Commissioner is authorized to charge any fee due, or credit any overpayment, to Deposit Account No. 04-1928 (E.I. du Pont de Nemours and Company).

Respectfully Submitted,

Date: 11/24/04

By: Gail Dalickas

Gail Dalickas
Attorney For Applicants
Reg. No.: 40,979
(302) 984-6282